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EXAMINER

BHARADWAJ, KALPANA

ART UNIT

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2129

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/769,155	Applicant(s) VEPREK ET AL.	
	Examiner KALPANA BHARADWAJ	Art Unit 2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-70 and 76-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-70 and 76-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to a Request for Continued Examination filed 03/06/2009 for application number 10/769155.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/06/09 has been entered.

Status of Claims

3. Claims 1-70 and 76-85 are pending. 71-75 are cancelled. 81-85 are new

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-70 and 76-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hussain (USPN 2002/0037750, referred to as **Hussain**), and further in view of Wang (USPN 20020198946, referred to as **Wang**).

Claim 1, 36:

Hussain teaches an information notification system (**Hussain**, ¶ 0018: provide notification), comprising:

a user activity identification module that determines activity information indicating an activity of a user received from a device associated with the user (**Hussain**, ¶ 0049, or 0084: event reception; ¶ 0076: Data Collection Module (DCM); EN: 'event' reads on activity);

a user environment identification module that determines environment information (not further defined, reads on **Hussain**, ¶ 0118: subscriber status) indicating an environment of the user received from the device based on a location of the user determined by the device associated with the user (**Hussain**, ¶ 0118: location area);

an output **operable to** communicate a notification to the user over an electronic medium to the device proximate to the user (**Hussain**, ¶ 0017: personalize services based on user situation, e.g. user location; **EN**: 'services' refer to 'network services' ¶ 0002, reads on electronic medium; 'user situation' refers to 'location', therefore reads on 'proximate to the user') in accordance with the selected delivery method (**Hussain**, ¶ 0076: a Service Execution Module (SEM); EN: The 'execution' module would output in accordance with the manner of delivery).

Although Hussain implicitly teaches the limitations embedded in the following segment of the claim, he does not explicitly teach all of the following:

a delivery module embodied as computer executable instructions on a computer memory **operable to** select a delivery method for a notification to the user from a plurality of predetermined delivery methods, where the delivery method is selected based on the activity information and the environment information;

However, Wang (combined with Hussain) teaches:

a delivery module embodied as computer executable instructions on a computer memory **operable to** select a delivery method for a notification to the user (**Wang, ¶ 0059**: assigns a delivery method) from a plurality of predetermined delivery methods (**Wang, ¶ 0059**: delivery method ... (SMS, e-mail, IM)), where the delivery method is selected based on the activity information (**Wang, ¶ 0059**: Alerts that the user 304 wants to receive) and the environment information (**Hussain, ¶ 0076-0078**: a Real-time Delivery Module (RDM)) (**Hussain, ¶ 0118**: subscriber status, reads on 'environment information' in the context of RDM);

Hussain and Wang are from the same field of endeavor, information delivery. It would be obvious to one of ordinary skill in the art to have modified Hussain's real time delivery system with features to select methods of delivery based on user alerts, for the benefit of personalized service delivery.

Claim 2, 37:

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Hussain modified by Wang teaches the system of claim 1, further comprising a user activity identification module operable to select at least one of plural, predefined user activity categories (not further defined) based on sensed user activity (**Hussain**, ¶ 0076: Data Collection Module; **EN**: 'data' reads on activity categories).

Claim 3, 38:

Hussain modified by Wang teaches the system of claim 2, further comprising a user activity sensing module **operable to** sense user interaction with an electronic device via the electronic device (Hussain, ¶ 0046: equipment capable of receiving signals; **EN**: 'receiving signals' would mean sensing).

Claim 4, 39:

Hussain modified by Wang teaches the system of claim 2, further comprising a user activity sensing module operable to sense user interaction with a user environment via an electronic device proximate to the user environment and having a sensory function (**Hussain**, ¶ 0048: information associated with a particular mobile subscriber; **EN**: The subscriber information would be the sensed interaction).

Claim 5, 40:

Hussain modified by Wang teaches the system of claim 1, further comprising a user activity identification module operable to select at least one of plural, predefined

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user activity categories based on a time-specific user activity schedule and a current time (**Hussain**, ¶ 0015: realtime information).

Claim 6, 41:

Hussain modified by Wang teaches the system of claim 1, further comprising a user activity identification module operable to select at least one of plural, predefined user activity categories based on learned user behavior patterns resulting from monitored user activity (**Hussain**, ¶ 0111: adapted to recognize; **EN**: 'adapt' is to learn, and 'recognize' is to identify a behavior pattern).

Claim 7, 42:

Hussain modified by Wang teaches the system of claim 1, further comprising a user environment identification module operable to select at least one of plural, predefined user environment categories based on a user location and predefined environment categories associated in a datastore with at least one location (**Hussain**, ¶ 0058: subscription event of the user and stores it in engine memory 210A or database).

Claim 8, 43:

Hussain modified by Wang teaches the system of claim 7, further comprising a user location sensing module operable to sense the user location based on a global positioning system function of a portable electronic device of the user (**Hussain**, ¶ 0103: cell global identity information).

Claim 9, 44:

Hussain modified by Wang teaches the system of claim 7, further comprising a user location sensing module operable to sense the user location based on a time-specific and location-specific user activity schedule and a current time (**Hussain**, ¶ 0104: location update).

Claim 10, 45:

Hussain modified by Wang teaches the system of claim 7, further comprising a user location sensing module operable to sense the user location based on user interaction with an electronic device at a known location (**Hussain**, ¶ 0104: location update; ¶ 0022: interaction between telecommunications operators).

Claim 11, 46:

Hussain modified by Wang teaches the system of claim 1, further comprising a user environment identification module operable to select at least one of plural, predefined user environment categories based on sensed environmental stimuli in proximity to the user (**Hussain**, ¶ 0049: predefined services to be generated).

Claim 12, 47:

Hussain modified by Wang teaches the system of claim 1, further comprising a user environment identification module operable to select at least one of plural,

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predefined user environment categories based on learned environment behavior patterns resulting from monitored environment behavior (**Hussain**, ¶ 0111: adapted to recognize; **EN**: 'adapt' is to learn, and 'recognize' is to identify a behavior pattern).

Claim 13, 48:

Hussain modified by Wang teaches the system of claim 1, wherein said delivery module is operable to determine the manner of notification delivery based on an information category relating to the notification (**Hussain**, ¶ 0140: notification upon the calling of a preselected number; **EN**: the preselected number determines the manner).

Claim 14, 49:

Hussain modified by Wang teaches the system of claim 13, further comprising an information categorization module operable to select at least one of plural information categories based on a priority of the notification (**Hussain**, ¶ 0051: customized according to the realtime status of the user; **EN**: The customizing rules would include priority).

Claim 15, 50:

Hussain modified by Wang teaches the system of claim 14, wherein said delivery module is operable to determine the manner of delivery based on a comparison between the priority of the notification and a priority relating to a user activity (**Hussain**,

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¶ 0051: customized according to the realtime status of the user; **EN:** The customizing rules would include priority comparison).

Claim 16, 51:

Hussain modified by Wang teaches the system of claim 13, further comprising an information categorization module operable to select at least one of plural information categories based on a confidentiality level of the notification (**Hussain**, ¶ 0051: intelligence factor 248 necessary to satisfy; **EN:** intelligence factor would include confidentiality).

Claim 17, 52:

Hussain modified by Wang teaches the system of claim 13, further comprising an information categorization module operable to select at least one of plural information categories based on content of the notification (**Hussain**, ¶ 0021: content providers).

Claim 18, 53:

Hussain modified by Wang teaches the system of claim 13, further comprising an information categorization module operable to select at least one of plural information categories based on at least one medium of the notification selected from at least one of audio, video, text, image, vibration, sound, and light emission (**Hussain**, ¶ 0099: display text, play a tone).

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Claim 19, 54:

Hussain modified by Wang teaches the system of claim 1, wherein said delivery module is operable to determine whether a manner of delivery is available that satisfies predetermined conditions relating to convenience, courtesy, timeliness, naturalness, and safety (**Hussain**, ¶ 0094: predetermined time interval; ¶ 0051: requisite conditions), wherein the manner of delivery relates to a medium of the notification in view of communication capabilities of eligible devices, wherein the medium is selected from at least one of audio, video, text, image, vibration, sound, and light emission (**Hussain**, ¶ 0099: display text, play a tone).

Claim 20, 55:

Hussain modified by Wang teaches the system of claim 19, wherein said delivery module is operable to determine that communication of an attention grabbing gesture (**Hussain**, ¶ 0043: usage and behavior patterns) satisfies the predetermined conditions (**Hussain**, ¶ 0051: requisite conditions).

Claim 21, 56:

Hussain modified by Wang teaches the system of claim 20, wherein said input is further receptive of a user response to the attention grabbing gesture (**Hussain**, ¶ 0043: usage and behavior patterns), and said delivery module is operable to determine whether a manner of delivery is available that satisfies the predetermined conditions

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based on the user response (**Hussain**, ¶ 0117: response message informing the B2B engine).

Claim 22, 57:

Hussain modified by Wang teaches the system of claim 19, wherein said delivery module is operable to delay communication of the notification until the predetermined conditions are satisfied (**Hussain**, ¶ 0126: delays and/or processing).

Claim 23, 58:

Hussain modified by Wang teaches the system of claim 19, wherein said delivery module is operable to determine that communication of a full version of the notification (**Hussain**, ¶ 0018: information is included with the notification) satisfies the predetermined conditions (**Hussain**, ¶ 0094: predetermined time interval; ¶ 0051: requisite conditions).

Claim 24, 59:

Hussain modified by Wang teaches the system of claim 19, wherein said delivery module is operable to determine that communication of a summarized version of the notification satisfies the predetermined conditions (**Hussain**, ¶ 0034: network node notification; **EN**: a notification node is a summarized version of the notification).

Claim 25, 60:

Hussain modified by Wang teaches the system of claim 19, wherein said delivery module is operable to determine whether a manner of delivery is available that satisfies the predetermined conditions based on at least one communication capability of at least one device eligible to communicate the notification to the user (**Hussain**, ¶ 0035: illustrates the communications of realtime information).

Claim 26, 61:

Hussain modified by Wang teaches the system of claim 1, further comprising a device eligibility assessment module operable to assess eligibility of devices to communicate the notification to the user (**Hussain**, Fig 6: Operation and Maintenance Module).

Claim 27, 62:

Hussain modified by Wang teaches the system of claim 26, wherein said delivery module is operable to select one of plural eligible devices to communicate the notification based on varying communication capabilities of the eligible devices (**Hussain**, Fig 6: Operation and Maintenance Module).

Claim 28, 63:

Hussain modified by Wang teaches the system of claim 27, wherein said delivery module is operable to assess communication capabilities of the eligible devices based

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on a user preference expressed by the user respective of communication via the eligible device (**Hussain**, ¶ 0043: current activity, preferences).

Claim 29, 64:

Hussain modified by Wang teaches the system of claim 26, wherein said device eligibility assessment module is operable to identify eligibility of a device based on observation of the user via a sensory mechanism of the eligible device (**Hussain**, ¶ 0018: signaling capacity usage; **EN**: signaling capacity is a sensory mechanism).

Claim 30, 65:

Hussain modified by Wang teaches the system of claim 26, wherein said device eligibility assessment module is operable to identify eligibility of a device based on detection of user interaction with the device (**Hussain**, ¶ 0116: status of a telecommunications device; q7 the status would be based on the user interaction with the device).

Claim 31, 66:

Hussain modified by Wang teaches the system of claim 26, wherein said device eligibility assessment module is operable to identify eligibility of a device based on knowledge of common location of the user and the eligible device (**Hussain**, ¶ 0017: user location, user status).

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Claim 32, 67:

Hussain modified by Wang teaches the system of claim 1, wherein said delivery module is operable to determine the manner of notification delivery based on a manually expressed user preference relating to communication of the notification (Hussain, ¶ 0043: preferences, location, usage).

Claim 33, 68:

Hussain modified by Wang teaches the system of claim 1, wherein said input is further receptive of a user response to a delivered notification, the system further comprising a user response assessment module operable to observe emotional content of the user response based on response characteristics relating to intensity (Hussain, ¶ 0054: behavior information of subscribers), and to infer at least one of a favorable user reaction and an unfavorable user reaction to the delivered notification based on the emotional content, wherein said delivery module is operable to incorporate knowledge of a type of the user reaction into future communications with the user (Hussain, ¶ 0054: interactions between the business-to-business ... elements of the network).

Claim 34, 69:

Hussain modified by Wang teaches the system of claim 1, wherein said delivery module is operable to discard expired notifications based on a comparison between a time of expiration associated with the notification and a current time (Hussain, ¶ 0094: the timer 472 expires).

Claim 35, 70:

Hussain modified by Wang teaches the system of claim 1, wherein said delivery module is operable to identify an older notification that has been superseded by a newer notification of similar type, and to discard the older notification (**Hussain**, ¶ 0076: Operation and Maintenance Module).

Claim 76:

Hussain modified by Wang teaches a method of operation for a device operable to perform information notification delivery in a convenient, courteous, timely, natural, and safe manner, comprising:

Receiving activity information indicating an activity of a user from a device associated with the user (**Hussain**, ¶ 0043: usage and behavior patterns);

Selecting how a notification is to be delivered to the user from a plurality of predetermined delivery methods, where the delivery method is selected based on the activity information (**Hussain**, ¶ 0076: a Realtime Delivery Module (RDM));

and

communicating the notification to the user in accordance with the manner of delivery (**Hussain**, ¶ 0076: a Service Execution Module (SEM)).

Claim 77:

Hussain modified by Wang teaches the method of claim 76, further comprising making a determination whether a manner of notification delivery is available that satisfies predetermined conditions relating to at least one of convenience, courtesy, timeliness, naturalness, and safety, wherein the determination includes evaluating a majority of the following information notification delivery categories: (a) an attention grabbing gesture (**Hussain**, ¶ 0043: usage and behavior patterns); (b) a notification summary (**Hussain**, ¶ 0018: provide notification); and (c) a full notification (**Hussain**, ¶ 0018: provide notification).

Claim 78:

Hussain modified by Wang teaches the method of claim 77, further comprising:
communicating an attention grabbing gesture to the user (**Hussain**, ¶ 0043: usage and behavior patterns);
receiving user feedback in response to the attention grabbing gesture; and
making the determination based on the user feedback (**Hussain**, ¶ 0084: a validation module (VM)).

Claim 79:

Hussain modified by Wang teaches the method of claim 76, further comprising:
sensing user activity (**Hussain**, ¶ 0084: an event reception and processing module); and

selecting the user activity category based on the user activity (**Hussain**, ¶ 0084: an event forwarding module).

Claim 80:

Hussain modified by Wang teaches the method of claim 76, further comprising:
sensing environmental stimuli in a vicinity of the device (**Hussain**, ¶ 0084: a data collection module);

sensing user collocation with the device (**Hussain**, ¶ 0084: a data collection module); and

selecting the user environment category based on the sensed stimuli (**Hussain**, ¶ 0076: a service development environment).

Claim 81:

Hussain modified by Wang teaches the method of claim 1, wherein the activity information is selected from a set of predefined activity categories (**Hussain**, ¶ 0049: predefined services to be generated).

Claim 82:

Hussain modified by Wang teaches the method of claim 81, wherein the activity categories include at least one of working, in a meeting, at the movies, driving, and at home (**Hussain**, ¶ 0008: sends movie information based on his location).

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Claim 83:

Hussain modified by Wang teaches the method of claim 1, wherein the location of the user determined by the device associated with the user is determined using a collocation technique that recognizes that the user is in proximity to the device associated with the user (**Hussain**, ¶ 0032: location area update to the B2B engine);

Claim 84:

Hussain modified by Wang teaches the method of claim 1, wherein the method of delivery further comprises selecting a form (not further defined) for the notification (**Hussain**, ¶ 0018: notification may include dialed digits, time of call, ...).

Claim 85:

Hussain modified by Wang teaches the method of claim 84, wherein the form of the notification includes a detailed notification, a summary of notification leaving out non-essential details of the notification, and an attention grabbing gesture (**Hussain**, ¶ 0088: notification event ... includes a mobile station identification ... subscription details, events, and preferences ... other related information; **EN**: 'related information' reads on grabbing gesture and non essential details).

Response to Arguments

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6. Applicant's arguments filed Mar 06, 2009 with reference to rejections under 35 USC 101 have been fully considered and they are persuasive. Therefore, rejection of claims 1-70 and 76-80 under 35 USC 101 are hereby withdrawn.

7. Applicant's arguments filed Mar 06, 2009 with reference to prior art rejections have been fully considered but they are not persuasive.

Argument 1:

Applicant respectfully submits that Hussain does not teach or anticipate the limitations found in Independent claim 1, and respectfully requests the withdrawal of the rejection with respect to claim 1 and the claims depending therefrom. Specifically, Hussain does not teach **"a delivery module operable to select a delivery method for a notification to the user from a plurality of predetermined delivery methods, where the delivery method is selected based on the activity information and the environment information."** The Examiner relies on Hussain to teach the claimed delivery module. More specifically the Examiner asserts that the realtime delivery module, disclosed in Hussain, teaches the claimed delivery module.

Examiner's response:

The argument is moot with respect to the new grounds of rejection – refer to -- a delivery module embodied as computer executable instructions on a computer memory **operable to select a delivery method for a notification to the user (Wang, ¶ 0059: assigns a delivery method) from a plurality of predetermined delivery methods (Wang, ¶ 0059: delivery method ... (SMS, e-mail, IM)), where the delivery method is selected based on the activity information (Wang, ¶ 0059: Alerts that the user 304 wants to receive) and the environment information (Hussain, ¶ 0076-0078: a Real-time Delivery Module (RDM)) (Hussain, ¶ 0118: subscriber status, reads on 'environment information' in the context of RDM);**

Argument 2:

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Hussain relates generally to providing information relating to a user's status to a content provider. Accordingly, Hussain primarily focuses on the retrieval of the user's status and the communication of the user's status to a content provider via a 828 (Business-to-Business) module. Applicant respectfully submits that many of the modules contained in the laundry list of paragraph 76, are not described or otherwise taught so as to be considered anticipatory of claim 1. For example, Hussain teaches a "Realtime Delivery Method" but never discloses what the **Realtime Delivery Method is or what it does**. Rather, Hussain teaches that the RDM interfaces with the DCM (Data Collection Module) and the BAM (Behavior Analysis Module). Applicant respectfully directs the Examiner's attention to section 2121 of the MPEP, which states "a prior art reference provides an enabling disclosure and thus anticipates a claimed invention if the reference describes the claimed invention in sufficient detail to enable a person of ordinary skill in the art to carry out the claimed invention." Thus, Hussain's silence to the additional limitations of claim 1, renders Hussain as having insufficient detail to enable one having skill in the art to carry out a delivery module that is "operable to select a delivery method for a notification to the user from a plurality of predetermined delivery methods."

Examiner's response:

The applicant's prime concern here is anticipation of a delivery module that is "operable to select a delivery method for a notification to the user from a plurality of predetermined delivery methods." This has been discussed in Argument 1.

Argument 3:

Furthermore, Hussain is not concerned with the method of delivery of a notification to a user. Hussain, although teaching a realtime delivery module, does not teach a delivery module that must select a method to deliver a notification. Rather, Hussain assumes that the ME (Mobile Equipment) sending the status of the user to the B2B is the same ME that will receive the content from the content provider. Thus, Applicant respectfully submits that Hussain cannot be read to teach **"a delivery module operable to select a delivery method for a notification to the user from a plurality of predetermined delivery methods, where the delivery method is selected based on the activity information and environment information."** Because Hussain does not teach the claimed delivery module, wherein the delivery module selects a delivery method from a plurality of predetermined delivery methods, Hussain cannot be said to anticipate claim 1.

Examiner's response:

Refer to Argument 1.

Argument 4:

Additionally, Hussain does not teach an **"output operable to communicate a notification to the user in accordance with the selected delivery method."** As discussed previously, Hussain does not teach selecting delivery methods. Thus, it would be impossible to read from Hussain an output operable to communicate a notification based on the selected delivery method. Moreover, the Examiner states that this limitation is taught by a Service Execution Module, namely "the 'execution' module would output in accordance with the manner of delivery." Applicant respectfully submits that nowhere in Hussain is it

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taught that the SEM interfaces with the RDM (Realtime Delivery Module). Further, Hussain explicitly states that "the Service Execution Module executes the service used, and is internally interfaced with the SDE and the BDSM."

Examiner's response:

The newly added references are self explanatory. The claim segment is reproduced below:

... an output **operable to** communicate a notification to the user over an electronic medium to the device proximate to the user (**Hussain**, ¶ 0017: personalize services based on user situation, e.g. user location; **EN**: 'services' refer to 'network services' ¶ 0002, reads on electronic medium; 'user situation' refers to 'location', therefore reads on 'proximate to the user') in accordance with the selected delivery method (**Hussain**, ¶ 0076: a Service Execution Module (SEM); **EN**: The 'execution' module would output in accordance with the manner of delivery).

Examinations Considerations

8. Examiner's Notes (**EN**) are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

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9. Examiner has cited particular columns and line numbers (or paragraphs) in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. The entire reference is considered to provide disclosure relating to the claimed invention.

Conclusion

10. Claims 1-70 and 76-85 are rejected..

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KALPANA BHARADWAJ whose telephone number is (571)270-1641. The examiner can normally be reached on Monday-Friday 7:30am 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bharadwaj Kalpana/

Examiner, Art Unit 2129

/David R Vincent/

Supervisory Patent Examiner, Art Unit 2129